

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM BRANCH

Plaintiff

v.

RUSSIAN, et al.,

Defendants

:
:
:
: No. 1:00-CV-1728
:
: (Judge Conner)
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:
: ELECTRONICALLY FILED

DEFENDANTS' RESPONSES TO PLAINTIFF'S INTERROGATORIES

"5. How many of the defendants have been order[sic] to enter a drug or alcoholic program, now or in the past.[sic]"

ANSWER: None.

"7. How many of the defendants[sic] who have grievances written against them has the D.O.C. or the union or the courts, found guilty and punished for mistreating inmates or other staff members." [sic]

ANSWER: None.

"8. How many of the defendants has the D.O.C. found guilty of any misconduct; what was the misconduct, and what was the punish[sic]."[sic]

ANSWER: Four. One defendant received a written reprimand for tardiness; another received a written reprimand for violation of post orders; another received two written reprimands for violating policies in ways that favored prisoners; and another received a written reprimand for poor work performance and staff accountability.

“Total pay per year with overtime earned by defendants”[sic]

ANSWER: Edward Burke-	\$58, 941.00
Richard Russian	\$36 282.00
Milton Friedman	\$65,033.00
Kim Griffith	\$75,402.00
Elaine Martin	No longer employed by DOC; salary info not available
Carol Surace-	\$57, 418.00
David Gorman-	\$47,609.00
Timothy Welling-	\$65,033.00
Wayne Gavin-	\$75, 402.00
William Gagas-	\$51,971.00
Joseph Scalzo-	\$52,077.00
Christina Wilbur-	\$ 8,818.00
Ronald Richards-	\$60,597.00
Martin Walsh-	\$67,036.00
Barry Karwowski-	\$35,010.00
Julie Suchy-	\$32,527.00
Christopher Jones-	\$33,524.80
Martin Horn-	\$79,808.00

“Did [the defendants] do what is alleged by me,”[sic]

ANSWER: Edward Burke -The complaint alleges that plaintiff spoke to Mr. Burke after speaking to Pastor Gagas and that Burke said [he] had “no win.” *See* Complaint at p. 6. Mr Burke has no recollection of this conversation. In any case, if he had said what is alleged, it would not violate federal law.

Richard Russian - Officer Russian’s responses to plaintiff’s allegations are set forth in his declaration which is contained in Documents in Support of Defendants’ Motion for Summary Judgment filed on December 31, 2003 as Appendix B.

Milton Friedman - Mr. Friedman's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix C.

Kim Griffith - The complaint alleges that plaintiff shared with Griffith his view that Officer Russian had abused the policy concerning security searches. *See* Complaint at p. 3. The complaint also alleges that plaintiff advised Mr. Griffith of his view that Officer Russian had retaliated against him and that Mr. Friedman could not fairly investigate his grievances. The complaint does not allege that Griffith did anything unlawful.

Elaine Martin - The complaint alleges that Ms. Martin moved plaintiff to a different cell block after he complained. *See* Complaint at p. 5. This allegation is admitted.

Carol Surace - Ms. Surace's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix K.

David Gorman - The complaint alleges that plaintiff advised Mr. Gorman of his complaints about Officer Russian's searches. It does not allege that Mr. Gorman did anything unlawful.

Timothy Welling - Lieutenant Welling's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix E.

Wayne Gavin - Captain Gavin's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix H.

William Gagas - The Reverend Gagas' responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix G.

Joseph Scalzo - The complaint does not allege that Scalzo did anything.

Christina Wilbur - Ms. Wilbur's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix J.

Ronald Richards - The complaint does not allege that Mr. Richards did anything unlawful.

Martin Walsh - Mr. Walsh's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix I.

Barry Karwowski - Officer Karwowski's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix F.

Julie Suchy - Ms. Suchy's responses to plaintiff's allegations are set forth in his declaration which is contained in Documents in Support of Defendants' Motion for Summary Judgment filed on December 31, 2003 as Appendix A.

Christopher Jones - Mr. Jones denies depriving plaintiff of due process.

Martin Horn - Mr. Horn denies legal responsibility for the actions of subordinates of which he had no personal knowledge or involvement solely because of his former position as the Secretary of the Department of Corrections.

“What did [the defendants] do when I informed them of an act by another staff member”[sic]

ANSWER: This interrogatory does not provide sufficient information to permit the defendants to respond to it.

Respectfully submitted,

GERALD PAPPERT
Attorney General

s/ Gwendolyn T. Mosley
By: GWENDOLYN T. MOSLEY
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Dated: July 9, 2004

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Plaintiff

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CERTIFICATE OF SERVICE

I, Gwendolyn T. Mosley, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on July 9, 2004, I caused to be served a true and correct copy of the foregoing document titled Defendants' Responses to Plaintiff's Interrogatories, by depositing it in the United States Mail, first-class postage prepaid to the following:

William Branch, CF 3756
SCI-Waymart
P.O. Box 256
Waymart, PA 18472

s/ Gwendolyn T. Mosley
Gwendolyn T. Mosley
Senior Deputy Attorney General